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John S. Nagy, Reg. No. 30,664

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/754,174  
Applicant : Lilip Lau, William Hartigan, Anuja Patel  
Filed : January 9, 2004  
Art Unit : 3735  
Examiner : John P. Lacyk  
Title : DEVICE FOR TREATING HEART FAILURE  
  
Docket No.: : PARCR 66327  
Customer No. : 24201

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Dear Sir:

This Terminal Disclaimer is submitted pursuant to an Office action mailed by the Patent Office on April 8, 2008 to which a response is due June 8, 2008.

The owner, Paracor Medical, Inc. ("Paracor"), of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of any patent issued on co-pending U.S. Serial No. 10/754,264 filed January 9, 2004 and U.S. Patent No. 6,723,041 filed on September 10, 2002, as shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application

shall be enforceable only for and during such period that it and the above-listed application and patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

The required fee in accordance with 37 C.F.R. § 1.20(d), in the amount of \$110 is enclosed to cover the disclaimer. Please charge any additional fees or credit any overpayment to Deposit Account No. 06-2425. The undersigned is an attorney of record.

Respectfully submitted,

FULWIDER PATTON LLP

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